

Arthur Leff and His Law Dictionary

Charles L. Black, Jr.†

Nihil tetiguit quod non ornavit.

So wrote the Great Lexicographer, about his friend Oliver Goldsmith. He might have been writing of Arthur Leff—in the cruel “perfect” tense, the tense of that which is finished as to the earth.

The ensuing pages (like the books, the articles, and perhaps above all the marvelous book reviews) speak for themselves. They speak also of the taste and fidelity of the editors of the *Yale Law Journal*, who have determined that nothing from so wonderful a man and mind should be lost. The entries are generally straightforward and spare, like those in Johnson’s *Dictionary*, for Arthur (like Johnson) had a sense of *genre*, and an honesty that would have prevented his even so much as thinking of offering to the world a “Law Dictionary” that in prominent part was an alphabetized array of his own particular views, much less his sallies of wit. In his principal role as lexicographer, Arthur himself most often shows through in perspicuous compressions of concepts less well and more wordily expressed elsewhere; look, for example, *s. vv.* “caeteris paribus,” and “borough.” Visible also is his range in time—from the quaintnesses of “boothagium” and “bona felonum,” through “body-snatching” and “borough reeves,” down to “boosted fire,” “book depreciation” and “boilerplate.” The work, had Arthur been allowed to finish it, would have been the visible sign of a mind to which nothing in law or about law was alien. If the presently printed beginning has a fault, it is the small fault—over-inclusiveness—that in real life almost always accompanies the great virtue of seeking the outer boundaries of one’s own subject—in Arthur’s case, all of law. We cannot in the nature of things know whether, in the final preparation of the manuscript, he might have struck out some entry, or have set out more fully its legal connections. But this uncertainty in no way shakes the solidity of the corpus.

There are, to be sure, some “sallies of wit.” If that most serious of men, Samuel Johnson found these not wholly repressible in his great *Dictionary*, such stern and total self-denial cannot be expected of Arthur. But I will let readers discover these for themselves; I think Arthur would have preferred that. (I wonder what Arthur thought of Johnson’s “definition” of a dictionary-maker as a “harmless drudge”; since he did not

† Sterling Professor of Law, Yale University.

reach the letter “D,” much less the letter “L”—for “legal dictionary” and “lexicographer”—we cannot know. I hazard the unprovable conjecture that he would have made something of it, but one who knows the resources of Arthur’s wit would never try to guess what that would have been.)

It is my belief that, whether or not Arthur consciously realized it, the compiling of this *Dictionary*, apart from the intrinsic utility and other merits the book would have possessed, would have been seen, had Arthur lived on, as having been the firm foundation for a range of knowledge, about the concreteness of law, scarcely to be matched in any mind, present or past, that was at the same time so philosophical and creative. What a palette he was assembling! But even that thought is not the most painful one that arises in my mind when I think about the time of his going.

In a passage I cannot now find, I believe Churchill said, substantially, that first we shape our buildings, and then our buildings shape us. The building that houses the Yale Law School is exactly apt to the right shaping of a community given to learning and teaching. On their way up to the Library, for example, the students must pass near the faculty offices, and see the lights from the faculty doors—most of them translucent and some open. They very soon catch on, and sometimes walk the extra twenty or so paces. (Comparison with other law school buildings were odious.)

A well-done building imitates life, in that it makes possible some working of luck; it was my luck that Arthur’s office was very close to mine, that I often had to pass his open door, that I very often did not resist the temptation to go in, and that I was never brought to feel that I should have resisted.

If you took to Arthur a thought of yours, he always moved it along a step. He rarely “joined issue”; it was more in his nature to give the course of shared thought a sudden turn into some new dimension—nearly always surprisingly, always relevantly. These encounters were very many; they played a great part in my life at the Yale Law School, over a good many years.

I don’t think I ever heard Arthur say anything cutting or unkind about anybody. There was in this no suggestion of saccharinity. It was rather, one felt, that he was wise enough either to find some reason for charity, or to have learned, from an even greater wisdom, that charity is to be practiced even if a reason does not immediately come to mind. He carried around with him the classic Chinese maxim, that the inferior person makes demands on other people, while persons of honor make demands on themselves.

Arthur Allen Leff

“He touched nothing that he did not adorn.” His always-present learning, his style in writing and life, his character—these adorned the Yale Law School, and made the lives of his friends more beautiful. I miss him. I am glad that the *Law Journal* is giving out his last work.